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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,426	10/30/2001	Martin DeGeorge	MATP-607US	2073
23122	7590	09/22/2005	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			ELAHEE, MD S	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/021,426

Applicant(s)

DEGEORGE, MARTIN

Examiner

Md S. Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 07/11/05. Claims 1-18 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-18 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1, 4, 6, 7, 10, 12, 13, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klausner et al. (US Patent No. 5,283,818) in view of Kikinis (US Patent No. 6,483,905).

Regarding claims 1 and 13, Klausner teaches a telephone answering device [i.e., answering machine module] that receives the audio messages (abstract; fig.1, 11, items 510, 520; col.9, lines 33-52).

Klausner further teaches a DTMF tone decoder which converts the DTMF tones to digital data [i.e., since the digital data is representation of all the digits of a telephone data, the digital data represents a text] representation of the DTMF tones matching respective individual keys on a telephone keypad (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Klausner further teaches a storage device (fig.2, item 6).

Klausner further teaches a microprocessor [i.e., processor] that stores messages, which include the received audio messages and the text representation of the DTMF tones (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Klausner does not specifically teach “a television receiver that receives and demodulates television signals and video processing circuitry for processing the demodulated television signals for display on a display device”. Kikinis teaches a television receiver that inherently receives and demodulates television signals (fig.5, item 67) and video processing circuitry for processing the demodulated television signals for display on a display device (col.2, lines 61-67, col.3, lines 1, 2, 18-22, col.7, lines 19-25). (Note: since user tunes to video input channel, it is inherent that video processing circuitry for processing the demodulated television signals) Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner to incorporate a television receiver that receives and demodulates television signals and video processing circuitry for processing the demodulated television signals for

display on a display device as taught by Kikinis. The motivation for the modification is to have doing so in order to download documents and play them over TV.

Klausner further teaches providing the stored text representation of the DTMF tones to microcontroller circuitry for display on the display device (fig. 9, 10; col.9, lines 44-63). However, Klausner does not specifically teach providing the stored text representation to video circuitry. Kikinis teaches providing the stored text representation to video circuitry (fig.5; col.2, lines 61-67, col.3, lines 1, 2, 18-22, col.7, lines 19-25). (Note: since user tunes to video input channel and accesses messages, it is inherent providing the stored text representation to video circuitry) Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner to incorporate providing the stored text representation to video circuitry as taught by Kikinis. The motivation for the modification is to have doing so in order to access documents and display them over TV.

Regarding claims 4, 10 and 16, Klausner teaches a key set 34d [i.e., user interface], coupled to the processor for providing commands to the processor (fig.1, fig.11, item 540; col.3, lines 53-56, col.9, line 64-col.10, line 2).

Klausner further teaches a DAA 10 [i.e., interface] to a public telephone line [i.e., public switched telephone network (PSTN)] (fig.2; col.4, lines 61-67).

Klausner further teaches that the processor is responsive to a command provided via the key set to retrieve the DTMF tones from the memory [i.e., storage device] to initiate a telephone call (fig.1, fig.11, items 570, 580; col.3, lines 53-56, col.9, line 64-col.10, line 2).

Regarding claim 6, Klausner teaches a telephone answering device [i.e., telecommunications unit] including a display output port (fig.2, item 4) and a voice playback

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[i.e., audio output] port fig.2, item 6), whereby the stored audio message are provided to the voice playback [i.e., audio output] port and the respective stored data [i.e., text] is provided to the display output port for displaying [i.e., concurrent presentation] to a caller (fig.11, items 570, 580; col.4, lines 57-59, col.9, lines 33-68, col.10, lines 1, 2).

Regarding claim 7 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Klausner teaches display [i.e., video processing circuitry] (fig.2, item 4).

Klausner further teaches voice playback [i.e., audio processing circuitry] (fig.2, item 6).

Klausner further teaches replaying the stored messages using the audio processing circuitry and displaying the data [i.e., text] using the display (fig.11, item 530; col.4, lines 5-10, 30-38, col.9, lines 53-63).

Regarding claim 12 is rejected for the same reasons as discussed above with respect to claim 6.

Regarding claim 18, Klausner teaches providing the audio message as an audio output signal (fig.11, item 540; col.9, lines 53-68).

Klausner further teaches displaying stored text corresponding to audio message as the respective audio message is provided (fig.11, items 530, 540, 560; col.9, lines 33-68, col.10, lines 1, 2).

6. Claims 2, 3, 5, 8, 9, 11, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klausner et al. (US Patent No. 5,283,818) in view of Kikinis (US Patent No. 6,483,905) further in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 2, 8 and 14 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, it is not clear whether Klausner in view of Kikinis teaches

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“text-to-speech conversion means which converts the text to speech signals”. McNutt teaches software routines converting the text to speech parameter (col.4, lines 44-67, col.5, lines 1-13; ‘software routines’ reads on the claim ‘text-to-speech conversion means’ and ‘speech parameter’ reads on the claim ‘speech signals’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner in view of Kikinis to allow text-to-speech conversion means as taught by McNutt. The motivation for the modification is to have the text-to-speech conversion means in order to provide the speech signal.

Regarding claims 3, 9 and 15, Klausner teaches a processor that stores the message corresponding the digital data into a memory [i.e., the speech signals in place of the DTMF tones in the respective audio messages] (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Regarding claims 5 and 11 are rejected for the same reasons as discussed above with respect to claim 4. Furthermore, it is not clear whether Klausner in view of Kikinis teaches “a DTMF tone generator configured to translate text numbers into DTMF tones”. McNutt teaches a DTMF generator circuit to convert text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; ‘DTMF generator circuit’ reads on the claim ‘DTMF tone generator configured’, ‘convert’ reads on the claim ‘translate’ and ‘text into DTMF signals’ reads on the claim ‘text numbers into DTMF tones’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner in view of Kikinis to allow the DTMF tone generator to translate text numbers into DTMF tones as taught by McNutt. The motivation for the modification is to have the DTMF tone generator in order to provide the telephone number to the callee.

Klausner further teaches that the microprocessor [i.e., processor] is responsive to a command provided via the keyset [i.e., user interface] to retrieve the text corresponding to the DTMF tones from the memory (i.e., storage device) and to provide the retrieved text to the DTMF tone generator (fig.1, fig.11, items 570, 580; col.3, lines 53-56, col.9, lines 53-68, col.10, lines 1, 2).

Regarding claim 17, it is not clear whether Klausner in view of Kikinis teach “converting the stored text corresponding to one of the received audio messages to DTMF tones”. McNutt teaches converting text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; ‘text into DTMF signals’ reads on the claim ‘the stored text corresponding to one of the received audio messages to DTMF tones’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner in view of Kikinis to allow the DTMF tone generator to convert text to DTMF tones as taught by McNutt. The motivation for the modification is to have the conversion in order to provide the telephone number to the callee.

Klausner further teaches initiating a telephone call by providing the converted DTMF tones to a telecommunications network (fig.11, items 570, 580; col.9, line 64- col.10, line 2).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. De Bot (U.S. Patent 6,748,598) teach Communication system with broadband and telephone network interfaces.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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M.E.

MD SHAFIUL ALAM ELAHEE

September 15, 2005



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